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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,866	01/18/2002	Kiyoshi Yoshizumi	218209US3	9246

22850 7590 02/21/2006

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1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

HODGE, ROBERT W

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/050 866

EXAMINER

ART UNIT	PAPER
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20060216

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Commissioner for Patents

DETAILED ACTION

Response to Amendment

1. The reply filed on 1/12/06 is not fully responsive to the prior Office Action because: applicants have ignored the limitation in claims 11 and 12 reciting “a flow rate-changing portion which is disposed in the **second flow passage** or the seventh flow passage”. The examiner agrees that a compressor can be a “flow-rate changing portion” “which can change the flow rate of the discharged oxygen-off gas” as supported in applicants’ specification starting on page 20, however there is no support in figure 6 or anywhere in applicants’ specification, for a compressor in the second flow passage of the embodiment found in figure 6. Furthermore the examiner agrees that a diffusion member can be present in the embodiment found in figure 6 as disclosed in applicants’ specification page 51, lines 19-22. Therefore claim 21 will be included with the embodiment found in figure 6. However claims 11 and 12 are still not fully supported by the embodiment found in figure 6, and as recited should be withdrawn from consideration. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE

Art Unit: 1746


(5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Hodge whose telephone number is (571) 272-2097. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RWH 2-16-06


BRUCE F. BELL
PRIMARY EXAMINER
GROUP 1746